

## CHAPTER 695

(House Bill 314)

AN ACT to repeal and re-enact, with amendments, Section 19 ~~(1)~~ of Article 52 of the Annotated Code of Maryland (1968 REPLACEMENT VOLUME AND 1969 Supplement) title "Justices of the Peace," subtitle "Criminal Jurisdiction," providing for the powers of the People's Court of Montgomery County in certain criminal cases AND MAKING CERTAIN CORRECTIONS IN THE LANGUAGE OF THIS SECTION TO GIVE EFFECT TO PRIOR AMENDMENTS THERETO.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 19 ~~(1)~~ of Article 52 of the Annotated Code of Maryland (1968 REPLACEMENT VOLUME AND 1969 Supplement), title "Justices of the Peace," subtitle "Criminal Jurisdiction," is hereby repealed and re-enacted with amendments to read as follows:

(1) Conditions of suspension or probation.—The justices of the peace in and for ALLEGANY, Baltimore, Calvert, Charles, FREDERICK, CAROLINE, Montgomery, Prince George's, Harford, Carroll, Kent and Queen Anne's counties, and the judges of the People's Court in Howard and Cecil counties COUNTY in any case within their jurisdiction, shall have power, before conviction of any person accused of crime, with the written consent of the person so accused, and after conviction or after plea of guilty or of nolo contendere, without such consent, to: (a) suspend that imposition of sentence; (b) place such person on probation before commitment; (c) and in all such cases above named to make such written conditions of suspension of sentence and probation as said justices of the peace may deem proper; and (d) upon determining that such person has violated any such condition, to strike out the suspension of sentence and to impose such sentence as may be authorized by law and to revoke such probation. The provisions of this section shall also apply to St. Mary's County and Cecil County. Provided, however, in ALLEGANY, Kent, Carroll, Calvert, Harford, Howard, St. Mary's, Cecil, CAROLINE, FREDERICK, and Queen Anne's counties any person placed on probation shall be under the supervision of the State Department of Parole and Probation. THE PROVISIONS OF THIS SECTION SHALL ALSO APPLY IN CASES BEFORE THE PEOPLE'S COURT OF ANNE ARUNDEL COUNTY.

(2) Changing conditions.—Said justices of the peace, or judges, at any time during the period hereinafter set out, and after notice to the probationer or person accused, and after full opportunity to him to be heard either in person or by counsel, may alter, enlarge, modify or change any one or more of such conditions, and may add other conditions of suspension of sentence or probation—all however, to be subject to the limitations hereinafter set forth.

(3) Period of probation and suspension.—Said justices of the peace or judges shall have power to fix the period of probation and suspension of sentence, which period shall not in any event exceed two years from the date of such suspension of sentence or probation. Said justices of the peace, or judges, from time to time, may continue to extend the period of probation and suspension of sentence first fixed, until the conditions originally or thereafter prescribed by said